

REMARKS

In light of the above amendments and following remarks, reconsideration and allowance of this application are respectfully requested.

At paragraphs 2 and 3 of the outstanding Office Action, the Examiner has rejected the drawings as including reference signals not mentioned in the description, and also not mentioning reference numerals included in the description. Applicant has changed the specification to refer to elements 201-204 in place of previously recited elements 22-25. Thus, reference elements 201-204 are now recited in the specification, and the recitation of reference elements 22-25 has been removed from the specification. Furthermore, Applicant has indicated in the description of Fig. 3 that element 6 should be viewed by referring to Fig. 1. In light of these amendments to the specification, Applicant respectfully submits that the objection to the drawings have been overcome, and therefore request that this objection be withdrawn.

At paragraph 4 of the outstanding Office Action, the Examiner has objected to the specification on a number of formal grounds. Applicant has amended the specification as suggested by the Examiner, and therefore request that the objection to the specification on these grounds be withdrawn.

At paragraph 6 of the outstanding Office Action, the Examiner has rejected claims 1, 3, 6 and 8 under 35 U.S.C. §102(e) as being anticipated by Iwamura (U.S. Patent No. 5,844,623). Applicant respectfully traverses the rejection.

In accordance with the claimed invention, amended independent claims 1 and 6 recite the receipt of a digital satellite broadcast signal containing at least one of a first broadcast signal in a first format and a second broadcast signal in a second format. Thereafter, judging

means determine whether the digital satellite broadcasting signal is in the first broadcast signal format or in the second broadcast signal format, and various processing is performed based upon this determination. However, Applicant notes with respect to Iwamura that a first signal (such as a standard definition signal) is received via a cable 114 or antenna 112, while a second, or high definition signal is received via antenna 110. Therefore, because the signals are received via different receiving means, there would be no need for determining what type of signal is included in the broadcast signal. It would be very clear in Iwamura that information received via the high definition antenna would include high definition information while information received via the cable or standard definition antenna would include standard definition information. Therefore, Iwamura fails to disclose judging means for judging in which format the broadcast signal is. This difference is further shown in Fig. 2 of the present invention in which from the scrambled circuit 12 includes standard definition output of a first format going to MPEG decode circuit 15 and high definition information going to multiplexing editing circuit 17.

Furthermore, the claimed invention recites the conversion means for converting the data structure of the second broadcast signal to generate a third broadcast signal if it is determined that the digital satellite broadcast signal is in the second format. Thus, as recognized by the inventor of the present invention, "both the SD broadcast signal and the HD broadcast signal for DSS are digital data, however, they are different in data structure (for example, packet size, ETC)." (See page 2, lines 12-14 of the specification). Thus, in order to address this issue, the inventor of the present invention has suggested "the multiplexing editing circuit 17 rearranges the time stamp and the packet length of a transport stream of the HD broadcast signal (which is MPEP-encoded) from the descrambled circuit 12 into the structure of a transport stream defined in IEEE1394 (the structure conformed with the ATSC system)", thereby allowing

for a high definition signal to be converted to, and therefore transmitted in a more standard signal format. However, Applicant submits that Iwamura fails to depict this feature of the conversion of a secondly formatted signal into a third format. While the Examiner appears to have referred to antenna 110 for this feature, Applicant submits that the claimed conversion is not performed.

Applicant therefore submits that independent claims 1 and 6 present claims that are not shown in Iwamura. Furthermore, claims 3 and 8 depend from claims 1 and 6, respectively, and are therefore allowable for this reason alone, and additionally as presenting independently patentable combinations in and of their own right. Applicant therefore respectfully requests that the rejection of claims 1, 3, 6 and 8 under 35 U.S.C. §102(e) be withdrawn.

At paragraph 7 of the outstanding Office Action, the Examiner has rejected claims 14, 15, 17, 18, 20 and 21 under 35 U.S.C. §102(e) as being anticipated by Lee (U.S. Patent No. 6,204,884). Applicant has cancelled claims 14-21 and therefore request that the rejection of these claims be withdrawn as moot. Applicant submits that cancellation of these claims should not be construed as an acquiesce in the Examiner's argument, that the claims are not patentable over the cited reference, or that the Examiner's arguments are correct. Applicant reserves the right to continue prosecution of these claims in a continuation application.

At paragraph 9 of the outstanding Office Action, the Examiner has rejected claims 2 and 7 under 35 U.S.C. §103(a) as being unpatentable over Iwamura in view of Stapleton (U.S. Patent No. 6,124,893). Applicant respectfully traverses the rejection.

Claims 2 and 7 depend from claims 1 and 6, respectively, and are therefore allowable for this reason alone, and additionally as presenting independently patentable combinations in and of their own right. Because the Examiner did not rely upon Stapleton to

cure the defects noted above with respect to Iwamura, Applicant respectfully requests that the rejection of claims 2 and 7 under 35 U.S.C. §103(a) be withdrawn.

At paragraph 10 of the outstanding Office Action, the Examiner has rejected claims 16 and 19 under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Stapleton. Applicant has cancelled claims 16 and 19 and therefore requests that the rejection of these claims under 35 U.S.C. §103(a) be withdrawn as moot. Applicant submits that cancellation of these claims should not be construed as an acquiesce in the Examiner's argument, that the claims are not patentable over the cited reference, or that the Examiner's arguments are correct. Applicant reserves the right to continue prosecution of these claims in a continuation application.

At paragraph 11 of the outstanding Office Action, the Examiner has rejected claims 4, 5 and 9-13 under 35 U.S.C. §103(a) as being unpatentable over Iwamura in view of Okuyama et al. (U.S. Patent No. 5,987,126). Applicant has cancelled claims 4, 9 and 12 and therefore request that the rejection as applied to these claims be withdrawn as moot. Applicant respectfully traverses the rejection as applied to the remaining claims.

Claim 11 has been amended similarly to claims 1 and 6 noted above, and is therefore allowable for the same reasons. Okuyama et al. has not been relied upon by the Examiner to cure the defects of Iwamura noted above.

Additionally, claims 5, 10 and 13 depend from independent claims 1, 6 and 11, respectively, and are therefore allowable as depending from an allowable independent base claims, and additionally as presenting independently patentable combinations in and of their own right. Because the Examiner did not rely upon Okuyama et al. to cure the defects of Iwamura noted above, Applicant respectfully requests that the rejection of claims 5, 10, 11 and 13 under 35 U.S.C. §103(a) be withdrawn.


CONCLUSION

Applicant has made a diligent effort to place claims 1-3, 5-8, 10, 11 and 13 in condition for allowance, and notice to this effect is earnestly solicited. If the Examiner is unable to issue a Notice of Allowance regarding these claims, the Examiner is requested to contact the undersigned attorney in order to discuss any further outstanding issues.

Early and favorable consideration are respectfully requested.

Respectfully submitted,

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